

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., November 12, 1996.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Linda Kochendarfer; and Councilman Robert T. Wandrei.

Members absent: Councilman W. D. Tharp.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Deputy Clerk of the Council Dianne Flake.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on October 8, 1996, were approved as distributed.

Councilman Wandrei stated that he either has recently represented or is presently representing property owners whose property will be affected by the rezoning request and the conditional use request on the agenda and he would therefore refrain from participation in any discussion and would abstain from voting on those matters.

Councilwoman Kochendarfer thanked members of Council for flowers and expressions of sympathy on the death of her mother.

Vice Mayor Brookshier commented on the Veterans Day ceremony sponsored by Wal-Mart and stated that it is hoped this will become an annual event.

Mayor Shelton announced the death of a City employee, Edward "Bona" Patterson, and asked that any members of Council who could do so attend the funeral services.

It was the consensus of Council that the second regular meeting of Council in December, which is scheduled for December 24, Christmas Eve, be canceled subject to call for any business that may arise. A resolution canceling the meeting will be on the agenda for the next regular meeting.

The Deputy Clerk of Council read aloud the following Public Hearing Notice:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by City Council at 7:30 p.m. on Tuesday, November 12, 1996, at the City Municipal Building, Council Hall, 215 East Main Street, for the purpose of considering a request for the following:

To consider rezoning property from M-1 Manufacturing and R-1 Single Family Residential to B-2 General Business District property located at the intersection of Route 460 and Independence Blvd. and south of Freedom Lane. The parcels affected are identified on the Bedford City Tax maps as parcels #237(1) 44-51, #237(1) 19-43, #237(1) 1, #237(A) 3, #237(A) 1, #237(A) 1C, #237(A) 2. Property owners are P.L. Real Estate Trust, Joseph and Louise Goode, L.G. Cocke, Brenda C. Hopkins and Nancy Parr.

The application is on file in the Office of Planning and Community Development.

The request is being made by the City of Bedford Planning Commission.

Anyone who is in favor of or opposed to the request will have an opportunity to express their view at this hearing.

Mayor Shelton opened the public hearing at 7:43 p.m.

Mr. O.P. "Stan" Stancer, Chair of the Planning Commission, made prefacing comments regarding the rezoning request. He stated that rezoning will enhance the land use in the East Main Street area and will be indicative of the development of the Independence Boulevard corridor, which is now zoned M-1. He also stated that the City's Comprehensive Plan calls for expansion of the commercial district along East Main Street at the intersection with a Route 460 bypass and Link Road. Mr. Stancer further stated that Main Street from the area of the Kentucky Fried Chicken restaurant to the intersection of Route 460 will be made four lanes by the Virginia Department of Transportation within a year or two.

The following persons spoke in opposition to the rezoning request:

- Mrs. Tove Lacy, corner of Hillcrest and East Main Street, Woodlawn Subdivision. Rezoning to business would lower the value of her home and others in the area.
- Mr. Carlton Lacy. Not necessary to rezone for business when there are vacant buildings downtown.
- Mr. Americo Sabbatini, 1208 Hillcrest Drive. Business zoning, development of Reynolds Park and a four-lane road would increase traffic on Hillcrest.

The following persons spoke in favor of the rezoning request: Mr. Ron Lovelace, Gary Case & Company, representing Brenda Hopkins; Mr. Gary Case, Gary Case & Company, 2910 Sedgewick Drive, Lynchburg; Mr. Joseph Goode, 1407 East Main Street.

The Mayor closed the public hearing at 8:03 p.m.

The Deputy Clerk of Council read aloud the following public hearing notice:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City Council at 7:30 p.m. on Tuesday, November 12, 1996, at the City Municipal Building, Council Hall, 215 East Main Street, for the purpose of considering a request for the following:

To consider a conditional use request to allow the use of a residential home to be used as a group home for assisted living. The property is located at 1334 Longwood Avenue, which is in an R-2 Medium Density Residential district.

The application is on file in the office of Planning and Community Development.

The request is being made by Helen W. Burk for Campbell Rest Home. Anyone who has comments will have an opportunity to express their view at this hearing.

Mayor Shelton opened the public hearing at 8:05 p.m.

Mr. O. P. "Stan" Stancer, Chair of the City Planning Commission, stated that the Planning Commission voted to forward the request to City Council. Mr. Stancer noted that there would be no outside changes to the house and that meals and other services for the five people who will live in the home will be provided by Campbell Rest Home. He stated that the residents of the area in question signed an understanding of the change with no objections.

The Mayor closed the public hearing at 8:08 p.m.

The Consent Agenda consisted of the following item: Request from Bedford Main Street, Inc. to close the following streets for the Christmas Parade on Saturday, December 7, with a rain date of Sunday, December 8: From 11:30 a.m. to 2:00 p.m., College Street and Ashland Avenue near the Recreation Field and, if necessary, Ashland Avenue in the vicinity of the Elks National Home; from approximately 2:00 to 4:00 p.m., Peaks Street from College Street to North Bridge Street, North Bridge Street to West Main Street, West Main Street to Fourth Street, to the County Recreation Field.

Vice Mayor Brookshier moved that the Consent Agenda be adopted. The motion was seconded by Councilman Wandrei. Mayor Shelton asked whether the street closing would interfere with traffic to and from church if it was necessary to hold the parade on Sunday, December 8. Ms. Elizabeth Berry-Mosley, Executive Director of Bedford Main Street, Inc., stated that residents of the area would have ingress and egress to their residences. The City Manager stated that a police officer could help with traffic if necessary. The motion was then voted upon and carried.

Councilwoman Kochendarfer moved to approve the rezoning of the property located at the intersection of East Main Street, Independence Boulevard and Lowry Street from M-1, R-1 and R-3 to B-2 General Business District. The motion was seconded by Vice Mayor Brookshier.

Discussion ensued. Councilman Ballard offered an amendment to the motion to exclude the Nancy Parr property from the rezoning request to B-2. Councilwoman Flood seconded the amendment to the motion.

Further discussion ensued. Mr. Brian Parr, 613B Vine Street, addressed Council on behalf of Nancy Parr, his mother, stating that he and his mother are in favor of rezoning the Parr property.

City Manager Gross stated that with the four-laning of East Main Street will also come signalization at Independence Boulevard to help control traffic.

Mayor Shelton called for a vote on the amendment to the original motion. The amendment would exclude the Parr property from the rezoning request so that it would remain R-3, which would shift the boundary of the request for rezoning to the east side of Independence Boulevard. The amendment to the motion was voted upon and did not pass, two members (Ballard and Flood) voting aye, three members (Brookshier, Kochendarfer and Shelton) voting nay, one member (Tharp) absent, and one member (Wandrei) abstaining.

Mayor Shelton then called for a vote on the original motion to rezone the property as originally presented. The motion carried, three members (Brookshier, Kochendarfer, and Shelton) voting aye, two members (Ballard and Flood) voting nay, one member (Tharp) absent, and one member (Wandrei) abstaining.

Councilwoman Kochendarfer moved to approve the conditional use request to allow the use of a residential home located in an R-2 Medium Density Residential District to be used as a group home for assisted living. The motion was seconded by Councilwoman Flood, voted upon and carried.

Mayor Shelton adjourned the meeting at 8:22 p.m.

